

**Personnel Committee
Monday, January 20, 2015
Council Chambers, Beck Municipal Building**

Minutes - DRAFT

Members Present: Toni Moran (Chair), Alex Marcellino, Elizabeth Wassmundt

Other Council Members Present: Elizabeth Paterson, Paul Shapiro

Staff Present: Maria Capriola, Matt Hart, Town Attorney Kevin Deneen

The meeting was called to order at 4:05pm. Due to the size of the audience, the meeting was moved (and posted) from Conference Room B to Council Chambers.

Marcellino made the motion, seconded by Wassmundt to move public comment from Item #1, to Item #3, following discussion of the Ethics Code. The motion passed unanimously.

1. MINUTES

The minutes of 12/15/14 were moved by Wassmundt, seconded by Marcellino and unanimously approved as presented.

2. ETHICS CODE APPLICABILITY TO MBOE EMPLOYEES

Attorney Deneen provided an overview as to how other communities and states handle group gifts to teachers within the context of Ethics Codes. He also presented the Committee with draft language regarding group gifts and nominal individual gifts for discussion purposes.

Discussion occurred as to both the appropriateness of group and individual gifts to teachers as well as the dollar threshold for gifts that is (or is not) appropriate. Hart suggested that an alternative solution might be that group gifts only be given to the classroom or to a charitable organization in the teacher's name.

Marcellino made the motion, seconded by Wassmundt to send Attorney Deneen's proposal and Town Manager Hart's proposal to the Board of Education for review and comment. Moran offered a friendly amendment to the motion to include a group gift dollar value threshold of \$100 and an individual nominal gift dollar value threshold of \$10. Marcellino made the motion, seconded by Wassmundt to amend the motion as presented. The motion to amend the motion passed unanimously. The motion to approve the original motion as amended passed unanimously.

Attorney Deneen has been asked to continue to work with the Board of Education's attorney on this issue.

3. PUBLIC COMMENT

Jay Rueckl, Mansfield. Mr. Rueckl disclosed his affiliation with the MBOE. He stated that he will ask the MBOE Policy Committee to review the gift issue and take it under advisement. He will also ask the MBOE to provide more information as to when and how gifts are given to teachers.

Katherine Paulhus, Mansfield. Ms. Paulhus disclosed her affiliation with the MBOE. Ms. Paulhus provided examples of incidental gifts given to teachers and spoke to her opposition to group gifts.

John Fratiello, Mansfield. Mr. Fratiello disclosed his affiliation with the MBOE. Mr. Fratiello stated his experience with gift giving to teachers has been very minimal in value and that the focus of the conversation should be on group gifts.

Martha Kelly, Mansfield. Ms. Kelly disclosed her affiliation with the MBOE and stated that she was speaking as an individual. Ms. Kelly expressed her opinion that no gifts should be given to teachers. Ms. Kelly submitted a written statement to the Committee to that affect.

Arthur Smith, Mansfield. Mr. Smith stated his opinion that the Ethics Code as a whole should be reviewed, not just the gift provisions. He also expressed his desire to see the issue of "personal gain" be revisited within the context of the Ethics Code. He also spoke to the issue of the Ethics Board and the issuance of advisory opinions. He believes "aggregate" value needs to be defined more clearly.

Saul Nesselroth, Mansfield. Mr. Nesselroth disclosed his affiliation with the Ethics Board and that he was speaking as an individual. He spoke to his preference that no gifts be given to teachers or that only homemade gifts, not to exceed \$5-\$10 in value, be permitted.

John DeWolf, Mansfield. Mr. DeWolf disclosed his affiliation with the Ethics Board and that he was speaking as an individual. He spoke to his preference that no gifts be given to teachers.

David Freudmann, Mansfield. Mr. Freudmann expressed his opposition to making changes to the existing Code and to group gifts for teachers. He believes that the MBOE Administration and officials should send out communication(s) to parents that gift giving to teachers is discouraged and not acceptable.

4. MERS REFRORM UPDATE

Hart provided an update regarding his efforts and CCM's lobbying efforts for MERS reform. Topics discussed included: increasing the employee contribution; creating a second tier for new hires that would increase the vesting period, increase the retirement age, decrease the benefit, and limit the amount of overtime earnings that can be used for salary calculations.

Meeting adjourned at 5:35pm.

Respectfully submitted,
Maria E. Capriola
Assistant Town Manager, Town of Mansfield